

Malone, Christopher Gregory

S/N: 10/738,435

REMARKS

Entry of the above-noted amendments, reconsideration of the Application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 3-28, and 30-32 are amended and claims 33-34 are added. These amendments to the claims constitute a bona fide attempt by Applicant to advance prosecution of the Application and obtain allowance of the pending claims, and are in no way meant to acquiesce to the substance of the rejections. The specification has been amended to correct a typographical error. Support for the amendments can be found throughout the specification (e.g., paragraphs 18-20 and 22-23), figure, and claims (e.g., claims 7 and 13) and thus, no new matter has been added. Claims 1-28, 30, and 32-34 are pending.

Claim Rejections - 35 U.S.C. §§ 102 and 103:

Claims 1-28, 30 and 32 are pending in the present application. In the Office Action mailed February 9, 2006, the Examiner rejected claims 1-2, 11-12, 16-19, 21, 24-26, 28, and 30 are rejected under 35 U.S.C. §102(b) as being anticipated by Lehman, et al. (US Pub. 2002/0196604; "Lehman"). Claims 4-11, 13-15, 20, 22-23, 27-28, and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lehman in view of Chesser, et al. (US Pub. 2004/0050533; "Chesser"). These rejections are respectfully, but most strenuously, traversed.

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since the Examiner's citations to each of the applied references is missing at least one element of each of Applicant's independent claims, Applicant respectfully submits that the claimed invention is not anticipated by the Examiner's citations to the applied references, as further discussed below.

Applicant respectfully submits that the Examiner's citations to the applied references, with or without modification or combination, assuming, *arguendo*, that the modification or combination of the Examiner's citations to the applied references is proper, do not teach or suggest one or more elements of the claimed invention, as further discussed below. In discussing the Examiner's citations to the applied references herein, Applicant does not acquiesce in the modification or combination of the Examiner's citations to the applied references.

For explanatory purposes, Applicant discusses herein one or more differences between the Examiner's citations to the applied references and the claimed invention with reference to one or more parts of the applied references. This discussion, however, is in no way meant to

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acquiesce in any characterization that one or more parts of the Examiner's citations to the applied references correspond to the claimed invention.

Applicant respectfully submits that the Examiner's citations to the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the Examiner's citations to the applied references fails to set forth a sustainable basis that the references teach or suggest, for example, one or more heat exchanger components that in major part are operably located outside a rack-mounted computer chassis and serve to reduce one or more temperatures of one or more heat producing components supported within the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

Lehman discloses (enumerated paragraphs 16-18; Figs. 1 and 4A-4B) the heat collecting chamber 180 formed from the second sheet 185, 185' conventional sheet metal of a lesser size than the faces of the chassis 105. Simply missing from the Examiner's citations to Lehman is any mention of one or more heat exchanger components that in major part are operably located outside a rack-mounted computer chassis and serve to reduce one or more temperatures of one or more heat producing components supported within the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

So, the Examiner's citation to Lehman fails to satisfy at least one of the limitations recited in Applicant's independent claim 1.

The shortcomings of the Examiner's citation to Lehman relative to certain elements of the claimed invention have been discussed above. The Examiner proposes a combination of the citation to Lehman with a citation to Chesser. However, the Examiner's citation to Chesser does not overcome the deficiency of the Examiner's citation to Lehman. Applicant respectfully submits that the proposed combination of the Examiner's citation to Lehman with the Examiner's citation to Chesser fails to provide the required configuration, assuming, *arguendo*, that the combination of the Examiner's citation to Lehman with the Examiner's citation to Chesser is proper.

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Chesser discloses (enumerated paragraph 54; Figs. 6A-6B) condenser 140 with the fins 151 into the body 142 or the fins 155 for assembly. The Examiner's citations to Chesser fail to disclose, *inter alia*, the fins 151 or 155 substantially equal to vertical and horizontal dimensions of the chassis 182 (enumerated paragraph 57; Fig. 8). Simply missing from the Examiner's citations to Chesser is any mention of one or more heat exchanger components that in major part are operably located outside a rack-mounted computer chassis and serve to reduce one or more temperatures of one or more heat producing components supported within the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

So, the Examiner's citation to Chesser fails to satisfy at least one of the limitations recited in Applicant's independent claim 1.

The Examiner's citations to Lehman and Chesser both fail to meet at least one of Applicant's claimed features. For example, there is no teaching or suggestion in the Examiner's citations to Lehman and Chesser of one or more heat exchanger components that in major part are operably located outside a rack-mounted computer chassis and serve to reduce one or more temperatures of one or more heat producing components supported within the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

Furthermore, the Examiner does not allege that the art of record provides any teaching, suggestion, or incentive for modifying the citations to Lehman and/or Chesser to provide the claimed configuration.

For at least the reasons presented above with reference to claim 1, claims 1, 18, and 25 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for at least the same reasons as independent claims 1, 18, and 25, as well as for their own additional characterizations.

Withdrawal of the §§ 102 and 103 rejections is therefore respectfully requested.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-28, 30, and 32-34.

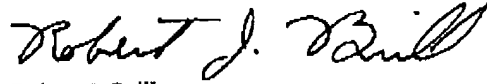
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Applicant hereby authorizes charging of Deposit Account No. 08-2025 for any additional fees associated with entering the aforementioned claims.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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